

Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SHERI SWEENEY, QUI TAM PLAINTIFF,
for and on behalf of the United States of
America,

Plaintiff,

v.

MANORCARE HEALTH SERVICES, INC., a
Delaware corporation; "JOHN DOE(S)" 1
through 50; and "JOHN DOE, INC.(S)" 1
through 5,

Defendants.

NO. C03-5320 RJB

STIPULATION AND AGREED ORDER
MODIFYING ORDER SETTING
TRIAL, PRETRIAL DATES AND
ORDERING MEDIATION

I. STIPULATION

The parties seek an order modifying some of the dates set in this Court's Minute Order Setting Trial, Pretrial Dates and Ordering Mediation entered on April 29, 2005 (Dckt. No. 33), on the grounds that the parties only recently filed and served their initial disclosures and conducted their discovery conference pursuant to this Court's order entered May 19, 2005 (Dckt. No. 36). They have agreed on a discovery plan and are in the process of serving and responding to written discovery propounded each to the other. Neither party is prepared to comply with disclosure of expert testimony pursuant to FRCP 26(a)(2) at this time and

STIPULATION AND AGREED ORDER MODIFYING ORDER
SETTING TRIAL, PRETRIAL DATES AND ORDERING
MEDIATION - 1
(C03-5320 RJB)

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1 reasonably believe that they will be unable to comply with certain other deadlines set during
2 the summer months.

3 Therefore, the parties seek a modification of the scheduling order as set forth below.

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5 DATED this 6th day of June, 2005.

6 LAW OFFICES OF DOUGLAS A. CLOUD WILLIAMS, KASTNER & GIBBS PLLC

7
8 By /s/ Douglas A. Cloud, WSBA #13456
Douglas A. Cloud, WSBA # _____

By /s/ Jan C. Kirkwood, WSBA #11092
Jan C. Kirkwood, WSBA #11092

9 Attorney for Plaintiff

Attorneys for Defendants ManorCare Health
Services, Inc. and Stacy Mesaros

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12 II. ORDER

13 Having read the above stipulation between the parties and the Court finding good cause
14 to alter the Minute Order Setting Trial, Pretrial Dates and Ordering Mediation as follows:

Event	From	To
Disclosure of expert testimony under FRCP 26(a)(2) (Plaintiff)	June 8, 2005	August 1, 2005
Disclosure of expert testimony under FRCP 26(a)(2) (Defendant)	June 8, 2005	August 20, 2005
All motions related to discovery must be FILED by	July 18, 2005	September 6, 2005
Discovery COMPLETED by	August 7, 2005	October 6, 2005
All dispositive motions must be FILED by	September 6, 2005	October 6, 2005

21 All other dates set in this Court's April 29, 2005 order remain unchanged.

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STIPULATION AND AGREED ORDER MODIFYING ORDER
SETTING TRIAL, PRETRIAL DATES AND ORDERING
MEDIATION - 2
(C03-5320 RJB)

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1 DONE IN OPEN COURT this 7th day of June, 2005. _____.

2 

3
4 Robert J. Bryan
5 United States District Judge

6 PRESENTED BY:

7
8 WILLIAMS, KASTNER & GIBBS PLLC

9
10 By /s Jan C. Kirkwood, WSBA #11092
Jan C. Kirkwood, WSBA #11092

11 Attorneys for Defendants ManorCare Health
12 Services, Inc. and Stacy Mesaros

13 COPY RECEIVED; APPROVED AS TO
14 FORM; NOTICE OF PRESENTATION
WAIVED:

15 LAW OFFICES OF DOUGLAS A. CLOUD

16
17 By /s Douglas A. Cloud, WSBA #13456
18 Douglas A. Cloud, WSBA #13456

19 Attorney for Plaintiff
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STIPULATION AND AGREED ORDER MODIFYING ORDER
SETTING TRIAL, PRETRIAL DATES AND ORDERING
MEDIATION - 3
(C03-5320 RJB)

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